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6 Attorneys for Defendants Richard S. Hill, Jeffery C. Benzing,  
7 D. James Guzy, Glen G. Possley, J. David Litster, Tom Long,  
8 Robert H. Smith, William R. Spivey, Neil R. Bonke, Youssef A. El-Mansy, Yoshio Nishi, Ann D. Rhoads, William H. Kurtz, Delbert A. Whitaker, and Novellus Systems, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

\*E-FILED - 1/19/07\*

IN RE NOVELLUS SYSTEMS, INC.  
DERIVATIVE LITIGATION,

Master File No. CV 06-03514-RMW  
**DERIVATIVE ACTION**

17 || This Document Relates To:

## ALL ACTIONS.

**STIPULATION AND  
[] ORDER  
RESETTING BRIEFING  
SCHEDULE FOR MOTIONS TO  
DISMISS AND RESETTING  
CASE MANAGEMENT  
CONFERENCE**

22 WHEREAS, on December 8, 2006, lead plaintiff Alaska Electrical Pension Fund filed its  
23 Consolidated Complaint;

24 WHEREAS, the parties have met and conferred and agreed to the following as further  
25 explained in the accompanying Declaration of Sunil R. Kulkarni;

26 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, under Local Rule  
27 6-2, by and between the undersigned counsel for plaintiff and defendants, subject to the approval  
28 of the Court, as follows:

STIP. & [ ] ORDER RESETTING BRIEFING SCH. FOR MOTIONS TO DISMISS & RESETTING CMC  
CASE NO. CV 06-03514-RMW  
pa-1123067

1. The unredacted consolidated complaint filed by plaintiff on December 8, 2006 (Docket No. 47 is the redacted version) shall be the operative complaint;

2. The Court need not address plaintiff's November 8, 2006 Administrative Motion to Enlarge Time for Filing the Consolidated Complaint (Docket No. 35);

3. The Court need not address the parties' December 22, 2006 Stipulation and [Proposed] Order Resetting Schedule for Briefing Motion to Dismiss (Docket No. 50);

4. Defendants shall file their answer or responses to the Consolidated Complaint on or before January 19, 2007;

5. Plaintiff shall file its oppositions to defendants' responsive pleadings on or before February 22, 2007;

6. Defendants shall file their replies on or before March 9, 2007; and

7. The hearing date shall be set for March 23, 2007, at 9:00 a.m.

8. The case management conference that is currently scheduled for January 26, 2007, at 9:00 a.m., shall be rescheduled for March 23, 2007, at 10:30 a.m.

## IT IS SO STIPULATED.

Dated: January 12, 2007

DARRYL P. RAINS  
SUNIL R. KULKARNI  
ELIZABETH J. MILES  
MORRISON & FOERSTER LLP

By: /s/ Sunil R. Kulkarni

SUNIL R. KULKARNI

## Attorneys for Defendants

Richard S. Hill, Jeffery C. Benzing, D. James Guzy, Glen G. Possley, J. David Litster, Tom Long, Robert H. Smith, William R. Spivey, Neil R. Bonke, Youssef A. El-Mansy, Yoshio Nishi, Ann D. Rhoads, William H. Kurtz, Delbert A. Whitaker, and Novellus Systems, Inc.

1 Dated: January 12, 2007

SHAWN A. WILLIAMS  
LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP

4

By: /s/ Shawn A. Williams

5

SHAWN A. WILLIAMS

6

Attorneys for Plaintiff

7

Dated: January 12, 2007

BETSY C. MANIFOLD  
WOLF HALDENSTEIN ADLER  
FREEMAN & HERZ LLP

8

9

By: /s/ Betsy C. Manifold

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BETSY C. MANIFOLD

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Attorneys for Plaintiff

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#### ATTESTATION

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I, Sunil R. Kulkarni, am the ECF user whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER RESETTING BRIEFING SCHEDULE FOR MOTIONS TO DISMISS AND RESETTING CASE MANAGEMENT CONFERENCE

19

Pursuant to General Order 45, X.B., I hereby attest that Shawn A. Williams of Lerach Coughlin Stoia Geller Rudman & Robbins LLP and Betsy C. Manifold of Wolf Haldenstein Adler Freeman & Herz LLP, counsel for plaintiff, have concurred in this filing.

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Dated: January 12, 2007

24

By: /s/ Sunil R. Kulkarni

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SUNIL R. KULKARNI

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## ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED

Dated: 1/19/07

By: Ronald M. Whyte  
THE HONORABLE RONALD W. WHYTE  
United States District Judge